

REMARKS

An Office Action was mailed on July 7, 2003. Claims 1-19 are pending.

The Examiner notes that claims 9 and 15-18 would be allowable if rewritten in independent form. Responsive thereto, Applicant has rewritten claims 9 and 15 in independent form, thus rendering allowable such claims and the claims dependent therefrom. Claim 16 is an independent claim, and thus such claim and claims 17-18 dependent therefrom should be allowable as well.

Claims 1-8, 10-14 and 19 are rejected under 35 U.S.C. §102(e) as being clearly anticipated by Scott et al. (U.S. Patent 6,484,260 filed April 24, 1998). Responsive thereto, Applicant is submitting herewith a Declaration under 37 C.F.R. §1.131 to swear behind the Scott et al. reference. Such Declaration establishes conception of the invention prior to April 24, 1998, the filing date of the Scott et al. reference. Accordingly, it is respectfully requested that the Examiner withdraw the §102(e) rejection based on Scott et al.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1-27, consisting of independent claims 1, 9, 12, 15, 16 and 19 and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, including \$149 in excess claim fees for two (2) excess independent claims and seven (7) excess total claims at the small entity rate, may be charged on Deposit Account 50-1290.

Respectfully submitted,

Harris A. Wolin
Reg. No. 39,432

CUSTOMER NUMBER 026304

PHONE: (212) 940-8708; FAX: (212) 894-5708 (direct)

DOCKET NO.: 2709/IBG (043520-00001)

09/31/928
11175165 02

- 8 -